

Before the Board of Zoning Adjustment, D. C.

Application No. 12083, of Charles P. Ryland, pursuant to Sub-section 8207.1 of the Zoning Regulations, for a variance from the lot width requirement (Sub-section 3301.1) to permit the re-subdivision of two lots resulting in one lot not meeting the lot width requirements of the R-1-B District at the premises 4410 49th Street, N. W., (Square 1484, Lots 51 and 53).

HEARING DATE: February 18, 1976


DECISION DATE: February 18, 1976

ORDER:

All the Findings and Conclusions of the Order of the Board in the application, dated March 10, 1976 are hereby incorporated by reference. The proposed sub-division requests neither permission to erect or alter a structure nor use a structure or land. Thus, neither paragraphs 8207.11 nor 8207.12 are applicable to this application. The order of March 10, 1976 is therefore corrected by eliminating the last paragraph on the bottom of page 2 which reads as follows:

"THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER."

Before the Board of Zoning Adjustment, D. C.

ATTESTED By: 

STEVEN E. SHER

Acting Secretary to the Board

FINAL DATE OF ORDER: MAR 10 1976

Before the Board of Zoning Adjustment, D. C.

Application No. 12083 of Charles P. Ryland, Pursuant to sub-section 8207.1 of the Zoning Regulations, for variance from the lot width requirements (sub-section 3301.1) to permit the re-sub-division of two (2) lots resulting in one not meeting the lot width requirements of the R-1-B District, at the premises 4410-49th Street, N. W., Lots 51 & 53, Square 1484.

HEARING DATE: February 18, 1976

DECISION DATE: February 18, 1976 (from the Bench)

FINDINGS OF FACT:

1. The property is located in an R-1-B District.
2. The application requests a variance of 7.87 feet for Lot 51 from the lot width requirements of the R-1-B Zone. Grant of the application would result in a new property line between Lots 51 and 53, as shown by the evidence supporting this application submitted for the record. No change in type of use would result.
3. Strict application of the lot width regulations would result in such practical difficulty to the applicant whereby occupant of the premises on Lot 53 would be required to traverse part of Lot 51 in order to gain access to the driveway and garage located on Lot 53. Such practical difficulty is caused by the exceptional shape of Lot 53, which has a depth of only 18.5 feet along the alley.
4. Grant of this application would permit unrestricted access to the driveway and garage on Lot 53 and would moderate the exceptional shape of Lot 53 by providing a frontage in excess of 30 feet along the alley.
5. A letter supporting the applicant's request has been submitted for the record by the owner of Lot 54 which is adjacent to Lots 51 and 53. An appearance at the hearing in support of the application was made by one other resident property owner in the immediate neighborhood.
6. No opposition of any kind has been registered in reference to this application.

CONCLUSIONS OF LAW AND OPINION:

Based upon the above findings of fact and evidence in the record, the Board concludes that the applicant has proved the existence of a practical difficulty within the meaning of paragraph 8207.11 of the regulations. The Board is of the opinion that the grant of the application will alleviate the practical difficulty enunciated herein. The Board is further of the opinion that the granting of this application will not have an adverse affect upon adjacent or nearby property, will not be detrimental to the public good, and will not impair the meaning and intent of the Zoning Regulations.

ORDERED:

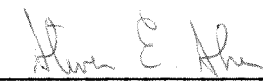
That the above application be GRANTED.

VOTE:

3-0 (Ruby B. McZier, Leonard L. McCants and William S. Harps to grant, Lilla Burt Cummings, Esq. and William F. McIntosh not present not voting)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:


STEVEN E. SHER
Acting Secretary to the Board

FINAL DATE OF ORDER: MAR 10 1976

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.